

FEDERAL COMMUNICATIONS COMMISSION

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MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: <http://www.fcc.gov/mb/audio/>

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May 11, 2011

Educational Media Foundation
5700 West Oaks Blvd.
Rocklin, CA 95765

In re: KHAI (FM); Wahiawa, HI
Educational Media Foundation ("EMF")
Facility ID No. 164206
CP application BPH-20070525AHV

Dear Educational Media Foundation:

KHAI's application BPED-20070525AHV proposes to upgrade the station class for that station from Class C2 to Class C on Channel 278, at the station's existing transmitter site. In doing so, EMF seeks involuntary channel changes for KSHK, Kekaha, HI and KNUQ, Paauilo, HI.

The Commission's Enforcement Bureau has conducted an extensive analysis of the KHAI proposal in this application and has determined that the facilities proposed will place a signal strength far in excess of the 27 mV/m limit over the Commission's monitoring station at Waipahu, Hawaii. *See* 47 CFR Sections 0.121(c) and 73.1030(c). On this basis, the Enforcement Bureau has advised that it must object to the proposal as it presently stands.

Consequently, this application cannot be granted. EMF will be afforded a period of 60 days to amend the proposal to resolve the matter, or to take other remedies that will overcome the Enforcement Bureau's concerns. Failure to respond in this time period will result in the dismissal of the application for failure to prosecute pursuant to 47 CFR Section 73.3568(a)(1).

This letter does not imply any judgment at this time of the merits of the pleadings filed by Visionary Related Entertainment, LLC, licensee of KSHK and KNUQ, or EMF's replies thereto.

Sincerely,



Dale E. Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Davis, Wright, Tremaine LLP
Wiley, Rein LLP